

**In the United States District Court
for the Northern District of California
District Judge Edward M. Chen**

CIVIL MINUTES

Date: February 20, 2014 **Time:** 1:50-3:53 (No FTR)
Court Reporter: Kelly Polvi

Case No. and Name: C12-5667 EMC Nextdoor.com, Inc. v. Abhyanker, et al.

Attorneys: Laurence Pulgram and Eric Ball for Plaintiff
Bruno Tarabichi and Heather Norton for Defendant Abhyanker
Harpreet Walia for Counter-Defendant Sood
Matt Rawlinson for Counter-Defendant Benchmark

Deputy Clerk: Betty Lee

PROCEEDINGS:

- (1) Plaintiff's MSJ #143
- (2) Defendant Benchmark's Motion to Dismiss #145
- (3) Status Conference

SUMMARY:

- (1) Nextdoor.com shall submit within 7 days evidence that the "neighborhood" was confined to the Lorelei neighborhood; Abhyanker has 7 days to respond.

Abhyanker shall submit within 7 days evidence of any confidentiality agreement between Abhyanker and counter-defendants; Nextdoor.com has 7 days to respond.

Briefing is limited to 3 pages for all submissions and responses. The Court will then take the matter under submission.

- (2) As to Defendant Benchmark's Motion to Dismiss, the Court will issue an order.

- (3) For the reasons stated on the record, the Court orders as follows on the Discovery Letter Brief (Docket No. 162):

Issue No. 1: Statements made by Abhyanker's counsel in letters to Nextdoor.com are binding on Abhyanker. The parties shall meet and confer as to the method of embodying these

statements in a manner that binds Abhyanker (e.g., stipulation, supplemental responses to interrogatories, admissions, etc.)

Issue No. 2: Abhyanker is not required to submit supplemental interrogatory responses because his responses are sufficiently responsive to the interrogatories as they are phrased. The reference in his responses to documents shall be deemed as exhaustive and not merely illustrative.

Issue No. 3: Abhyanker shall use reasonable diligence to obtain from Google the Assignment Agreement between Center'd and Google. If he does not produce the Agreement, Abhyanker shall describe the efforts he undertook, including information about with whom at Google he communicated, and the response of Google.

12-court day jury trial has already been scheduled for 12/1/14 at 8:30 a.m. Further status conference is scheduled for 6/26/14 at 10:30 a.m. An updated joint status report shall be filed by 6/19/14.